

II. REMARKS

In the relevant embodiment used by the Examiner, Davis teaches two thermal sensor switches independently sensing the heat from a user's hand. If a user is detected by either switch, then a signal is sent to a controller. (See Davis column 5, line 67, to column 6, line 5). The Examiner acknowledges the distinction between Davis and the application on page 2 of the Office Action.

Salazar relates to communications, command, control and sensing systems for communicating with external devices. The passage the Examiner refers to between lines 3 and 20 in column 22 describes a sensor embodiment wherein sensors detect the human skin being brought into contact or close proximity to the sensor. The sensor creates data signals that are coupled to a microprocessor. The referenced passage does not teach detectors that are based on two different principles of sensing.

The Examiner has asserted that the combination of Davis and Salazar teaches all the features in claim 1 of the application. However, Salazar does not teach two different principles of detecting contact between a terminal and a user's skin. Not a single such principle is named or explained in Salazar, let alone mentioning the use of more than one in combination. It would therefore be unobvious for one of ordinary skill in the art to combine these teachings of Salazar with those of Davis, which only features an invention using two similar switches, to make two detector arrangements based on two different principles of detecting a contact between a terminal and a user's skin. Further, even if the references are combined, the result is not the present invention. Thus the rejection of claims 1, 2, 3-5,

8, 9, 11-14, 17, 18, 20, and 22-29 under 35 USC 103 on Davis in view of Salazar should be withdrawn.

Cairns fails to disclose the different principles of detection feature. Thus combining it with Davis and Salazar does not result in the present invention. Thus the rejection of claim 6 under 35 USC 103 on Davis in view of Salazar and Cairns should be withdrawn.

Giel also fails to disclose the above feature. Therefore combining it with Davis and Salazar does not result in the present invention. Thus the rejection of claims 7, 10, 15 and 16 under 35 USC 103 on Davis in view of Salazar and Giel should be withdrawn.

Budd fails to disclose the above feature. Therefore combining it with Davis and Salazar does not result in the present invention. Thus the rejection of claim 19 under 35 USC 103 on Davis in view of Salazar and Budd should be withdrawn.

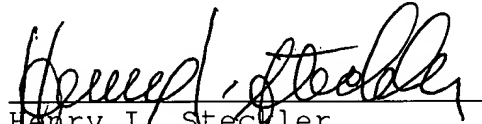
Similarly, Nakajima fails to disclose the above feature. Therefore combining it with Davis and Salazar does not result in the present invention. Thus the rejection of claim 21 under 35 USC 103 on Davis in view of Salazar and Nakajima should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should

any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Henry I. Steckler
Reg. No. 24,139


Sept 24, 2004
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 9/24/04

Signature: 
Person Making Deposit